IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

WP(C).No. 31503 of 2007(A)

OP.62/2002 of ADDL.M.C.,KOZHIKODE-II
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PETITIONER:

RADHAMANI, AGED 42 YEARS,
W/O. MOHANAN, THAYYIL HOUSE, CHEVAYOOR AMSOM,
DESOM, KOZHIKODE TALUK.

BY ADV. SRI.T.R.RAVI
SRI.P.S.MURALI

RESPONDENTS:
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1. T.SURESH, AGED 51 YEARS,
S/O. VASU, KUPPOYIL VIRIPPIL HOUSE,
P.O. MEDICAL COLLEGE, KOVOOR AMSOM AND DESOM,
KOZHIKODE TALUK.

2. T. RAJEEVAN, AGED 47 YEARS,
S/O. VASU, THAYYIL HOUSE, CHEVAYOOR AMSOM AND
DESOM, P.O. MALAPARAMBA, KOZHIKODE TALUK.

3. T. SREEJAYAN, AGED 44 YEARS,
S/O. VASU, EDAPPUNATHIL MEETHAL VEEDU,
KOTTOOLI AMSOM AND DESOM, KOZHIKODE TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.31503 of 2007

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Dated this the 23rd day of October, 2007.

JUDGMENT

This Writ Petition is preferred against the order passed in an interim application in O.P.No.62 of 2002 on the file of the Munsiff II, Kozhikode. The O.P. is filed for the issuance of a succession certificate alleging that the petitioners are the wife and children of the deceased. It is disputed by the respondents, who are the brothers of the deceased. The petitioners moved an application for the reception of a document in the form of an affidavit, etc. filed by the deceased in a Motor Accidents Claims Petition. There it is alleged that he has admitted the paternity of the children. The court did not entertain those applications and dismissed the same. The party wants to prefer an appropriate proceeding against that order.

2. Therefore, I direct the court below to issue a carbon/certified copy within a period of two weeks from today and defer the further trial of the case for a period of four weeks,

so as to enable the petitioner to move before the appropriate forum.

Writ Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

ess 23/10